



Security Council

Distr.
GENERALS/1997/856
6 November 1997

ORIGINAL: ENGLISH

LETTER DATED 6 NOVEMBER 1997 FROM THE REPRESENTATIVES
OF CAMEROON, GHANA, TUNISIA, UGANDA AND ZIMBABWE TO
THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE
SECURITY COUNCIL

The African Group of States Members of the United Nations held a meeting on Wednesday, 5 November 1997, at which they discussed, among other matters, the dispute between the Government of the Libyan Arab Jamahiriya on the one hand and the Governments of the United States of America and the United Kingdom of Great Britain and Northern Ireland on the other over the Lockerbie affair.

The African Group mandated the five-member Organization of African Unity (OAU) committee set up to mediate on that dispute to meet with you in order to convey the African Group's request for an open debate in the Security Council when the United Nations sanctions over the Libyan Arab Jamahiriya next come up for review and discussion.

By this letter the OAU Committee of Five formally requests an open debate, and further requests that the present letter be circulated as a document of the Security Council.

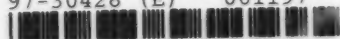
(Signed) Jean-Marc MPAY
Minister Counsellor
Chargé d'affaires a.i. of the
Permanent Mission of Cameroon

(Signed) Jacob Botwe WILMOT
Ambassador
Permanent Representative of Ghana

(Signed) Ali HACHANI
Ambassador
Permanent Representative of Tunisia

(Signed) Matia Mulumba SEMAKULA
KIWANUKA
Ambassador
Permanent Representative of Uganda

(Signed) Machivenyika Tobias MAPURANGA
(Chairman)
Ambassador
Permanent Representative of Zimbabwe



**Security Council**Distr.
GENERALS/1997/857
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ORIGINAL: ARABIC

LETTER DATED 6 NOVEMBER 1997 FROM THE PERMANENT REPRESENTATIVE
OF THE LIBYAN ARAB JAMAHIRIYA TO THE UNITED NATIONS ADDRESSED
TO THE PRESIDENT OF THE SECURITY COUNCIL

As you are well aware, my country continues to suffer from the unjust sanctions imposed during the critical period when the east-west equilibrium was breaking down. Those sanctions were imposed in flagrant violation of the Charter of the United Nations, specifically Article 27, paragraph 3, Article 33, paragraph 1, and Article 36, and in deliberate disregard of the 1971 Montreal Convention on the Suppression of Unlawful Acts against the Safety of Civil Aviation. Above all, the imposition of the sanctions constitutes an ongoing violation of the provisions of Article 31 of the Charter, since my country has been effectively excluded from participation in the Security Council's discussions on the Lockerbie case ever since the adoption of resolution 731 (1992).

The imposition of sanctions implies, in any language, acknowledgement of the fact that a fully independent investigation has shown that a crime or unlawful act has been committed and is being punished, after the perpetrator has been tried and duly convicted following a fair and impartial trial. However, sanctions were imposed on my country in the absence of any of these lawful and logical measures and conditions.

The two Libyan citizens concerned are no more than suspects. They have never appeared before any court or been convicted of any crime. The legal rule that an accused person is innocent until proved guilty has been completely ignored.

The adversary took advantage of the critical period when the east-west equilibrium was breaking down, the period of irrational "frenzy" in international relations that characterized the latter years of the previous decade and the first years of the present decade, to serve its own political aims. My country was accused of being responsible for an incident with which it had had nothing to do, and the Security Council was pushed into imposing sanctions on it. Those sanctions are in fact a "collective punishment" against my entire country, State and people, as appears from resolutions 748 (1992) and 883 (1993).



In fact, the adversary took advantage of this period of "irrational frenzy" to assume the functions of arbiter, investigator and judge, issuing a judgement in advance, without evidence, without investigation, without a trial and without a verdict, and even demanding compensation.

Despite all this, Libya has dealt with these unjust resolutions in a constructive spirit. With the support of numerous international and regional organizations, it has agreed to various positive, practical suggestions aimed at reaching a peaceful, just and fair settlement of this dispute.

In that same spirit, Libya has responded insofar as possible to the other demands contained in these resolutions: it has condemned terrorism in all its forms and manifestations and has declared itself prepared to cooperate with any international effort to eliminate it, as the Security Council and the Secretary-General are aware. In this connection, I should like to mention documents S/23672, S/23917, S/23918, S/24428, S/26760, S/26804, S/1994/900, S/1996/73, S/1995/624, S/1996/609, S/24961 and S/1997/518.

Libya has cooperated effectively with the United Kingdom in the matter of its demands relating to the Irish Republican Army. The United Kingdom has expressed its appreciation for that cooperation more than once.

France, too, has expressed its appreciation for Libya's whole-hearted cooperation in the matter of the French UTA aircraft incident.

My country has agreed that the two suspects, who are Libyan citizens, should appear before a just and impartial court. It has accepted the resolutions adopted in that connection by the League of Arab States, the Organization of African Unity, the Organization of the Islamic Conference and the Non-Aligned Movement.

Libya has been fully cooperative with and responsive to the Security Council. It is the other party which alleges that it went to the Security Council because of what it calls "terrorism". It is that party which is impeding the work of the Council by opposing the implementation of paragraph 2 of resolution 748 (1992).

My country has informed the Security Council before, and informs it again now, that the countries which are seeking to delay the implementation of that paragraph are actually attempting to use it to attain their own real political ends against Libya, in case they fail to do so by trying the two suspects.

It is the adversary, which claims that it went to the Security Council because of what it calls "terrorism", that is actually engaging in terrorism. Are the only acceptable definitions those which the United States of America deems appropriate because they serve its political ends?

True terrorism is the terrorism that the United States practices against various States and peoples, beginning with my country and its people. That is the terrorism that actually endangers international peace and security.

Libya has never attacked the United States; it is Libya which has been attacked by the United States more than once, at sea, from the air, and on land.

All these acts of aggression have been documented before the Security Council, and they have been the subject of resolutions adopted by the General Assembly (see our letters to the Security Council and the General Assembly (A/41/38, S/1996/342, S/1996/346, S/1997/218 and S/1997/651)).

The imposition of embargoes and the freezing of assets are also terrorist acts aimed at subjugating our people and bringing them to their knees. The United States has been trying to do this to Libya for decades, and now it is putting pressure on other States to follow its example, going so far as to interfere in the decisions of other countries and their leaders and dictate their choices, even in such matters as visits to my country. Who smuggled Libyans out of Chad and conveyed them to the United States? And who is openly training them, there in the United States? Who is financing them? Who is protecting them? Who is arming them and who is sending them to Libya to carry out terrorist acts, all of which have been foiled?

This is terrorism, but who will punish the United States for its terrorism? Who else would adopt domestic legislation and try to force the entire world to apply it, making the interests of the United States paramount, regardless of the interests of other countries? This terrorism has not spared even the allies of the United States.

Libya is innocent of the charge of terrorism. On the contrary, Libya is one of the victims of American terrorism.

Over the years, ever since this issue was forced upon the Security Council, many statements both official and unofficial have been issued, many books and articles published, many audio-visual recordings presented, and many seminars and conferences held, and most of them have concluded that Libya is not guilty of the allegations made against it.

Eminent people all over the world have spoken in favour of lifting the iniquitous sanctions imposed on Libya and many organizations have adopted resolutions to this end. We have already transmitted copies of the resolutions, documents, tapes, statements, books and articles in question, not because they express our point of view but because they throw light on the scale of the oppression and injustice to which my country has been subjected and show how little store was set by the Charter of the United Nations, international law and the sovereignty of States, let alone all the proposals made with a view to solving the problem.

The ministerial-level meeting of the Security Council held on 25 September 1997, at which Mr. Robert Mugabe, President of Zimbabwe and current President of the Organization of African Unity, spoke on behalf of Africa and in which high officials from various continents and countries took part, revealed how isolated the United States of America and the United Kingdom are. It also showed, beyond a shadow of a doubt, that those two countries do not want to settle the so-called Lockerbie affair, which they fabricated in the first place and are using as a weapon to achieve political objectives.

On 30 October 1997, His Holiness Pope John-Paul II called in unambiguous terms for the lifting of the sanctions imposed on the Libyan people. Moreover, the Security Council is well aware that the families of many victims in the

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United Kingdom and the United States have agreed that the two suspects should be tried in a neutral country.

In order that justice may be done to my country and the two Libyan suspects exonerated, Libya, which is anxious to alleviate the concerns of the families of the victims, will continue to demand that the suspects should be tried quickly by a just and impartial court and that they should not be presumed guilty.

My country has never had any doubts about the Scottish judicial system. On the contrary; it has officially announced that it respects its history. We therefore cannot understand why the United Kingdom recently proposed that Libya should send so-called observers to study the Scottish judicial system.

Nothing can justify the delays experienced and the initiatives that have been taken to maintain the sanctions imposed on Libya, tarnish the image of the Security Council and the United Nations, circumvent the Charter of the United Nations and thwart the requests from regional and international organizations that over the past few years have done all they can to find, quickly, a just and peaceful settlement to the conflict between the Libyan Arab Jamahiriya and the Western countries.

In light of the foregoing, we request the Security Council:

1. To take note of Libya's response to and cooperation with the Council;
2. To ensure that in the current review of the sanctions account is taken of the resolutions of the League of Arab States, the Organization of African Unity, the Organization of the Islamic Conference and the Movement of the Non-Aligned Countries, which request that the sanctions on Libya be lifted and that the two suspects be tried in a neutral country;
3. To send a representative of the Secretary-General to Libya to evaluate the economic and humanitarian situation caused by the embargo and to ascertain that there are no links between Libya and terrorism, in implementation of paragraph 2 of Security Council resolution 748 (1992);
4. To accept that the two Libyan suspects should be tried by a just and impartial court in accordance with one of the formulas submitted jointly by the League of Arab States and the Organization of African Unity;
5. To lift the sanctions imposed on Libya;
6. To authorize the holding of a formal meeting of the Security Council under Article 31 of the United Nations Charter.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Abuzid Omar DORDAH
Permanent Representative

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Security Council

Distr.
GENERALS/1997/857*
12 November 1997
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 6 NOVEMBER 1997 FROM THE PERMANENT REPRESENTATIVE
OF THE LIBYAN ARAB JAMAHIRIYA TO THE UNITED NATIONS ADDRESSED
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* Reissued for technical reasons.



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Despite all this, Libya has dealt with these unjust resolutions in a constructive spirit. With the support of numerous international and regional organizations, it has agreed to various positive, practical suggestions aimed at reaching a peaceful, just and fair solution - a compromise solution to resolve this dispute.

In that same spirit, Libya has responded insofar as possible to the other demands contained in these resolutions: it has condemned terrorism in all its forms and manifestations and has declared itself prepared to cooperate with any international effort to eliminate it, as the Security Council and the Secretary-General are aware. In this connection, I should like to mention documents S/23672, S/23917, S/23918, S/24428, S/26760, S/26804, S/1994/900, S/1996/73, S/1995/624, S/1996/609, S/24961 and S/1997/518.

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showed, beyond a shadow of a doubt, that those two countries do not want to settle the so-called Lockerbie affair, which they fabricated in the first place and are using as a weapon to achieve political objectives.

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In order that justice may be done to my country and the two Libyan suspects exonerated, Libya, which is anxious to alleviate the concerns of the families of the victims, will continue to demand that the suspects should be tried quickly by a just and fair court and that they should not be presumed guilty.

My country has never had any doubts about the Scottish judicial system. On the contrary; it has officially announced that it respects its history. We therefore cannot understand why the United Kingdom recently proposed that so-called observers should be sent to examine the Scottish judicial system.

Nothing can justify the delays. Nor is there any place for initiatives designed mainly to maintain the sanctions imposed on Libya, tarnish the image of the Security Council and the United Nations, circumvent the Charter of the United Nations and escape the pressures from regional and international organizations that over the past few years have done all they could to find, quickly, a just and peaceful settlement to the conflict between the Libyan Arab Jamahiriya and the Western countries.

In light of the foregoing, we request the Security Council:

1. To acknowledge Libya's responsiveness to and cooperation with the Council;
2. To ensure that in the current review of the sanctions account is taken of the resolutions of the League of Arab States, the Organization of African Unity, the Organization of the Islamic Conference and the Movement of the Non-Aligned Countries, which request that the sanctions on Libya be lifted and that the two suspects be tried in a neutral country;
3. To send a representative of the Secretary-General to Libya to evaluate the economic and humanitarian situation caused by the embargo and to ascertain that there are no links between Libya and terrorism, in implementation of paragraph 2 of Security Council resolution 748 (1992);
4. To accept that the two Libyan suspects should be tried by a just and fair court in accordance with one of the formulas submitted jointly by the League of Arab States and the Organization of African Unity;
5. To lift the sanctions imposed on Libya;
6. To authorize the holding of a formal meeting of the Security Council under Article 31 of the United Nations Charter.

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I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Abuzid Omar DORDAH
Permanent Representative



Security Council

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S/1997/858
6 November 1997
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 6 NOVEMBER 1997 FROM THE PERMANENT
REPRESENTATIVE OF FRANCE TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit herewith the text of the letter addressed to the Minister for Foreign Affairs of France by Judge Jean-Louis Bruguière concerning the judicial inquiry conducted on the attack on the UTA DC-10 of 19 September 1989 (see annex).

I should be grateful if you would have this letter circulated as a document of the Security Council, in connection with the latter's consultations of the whole on the Libyan Arab Jamahiriya.

(Signed) Alain DEJAMMET
Permanent Representative of France
to the United Nations



Annex

Letter addressed to the Minister for Foreign Affairs of France
by Judge Jean-Louis Bruquière

After eight years of investigation, I recently completed the judicial inquiry concerning the attack on the UTA DC-10 and ordered the transmittal of the file on the inquiry with a view to the committal for trial of six Libyan nationals indicted in the course of the procedure, who will have to be tried in absentia.

The attack, which occurred on 19 September 1989 over Niger, resulted in the death of 170 people.

In the course of the judicial inquiry opened six days later by the public prosecutor in Paris, lengthy and careful investigations, conducted in particular in Africa, showed that Libyan nationals might be involved in this terrorist act. Four international arrest warrants were subsequently issued for Libyan nationals.

Following the issuance of these arrest warrants and the indictment by the judicial systems of the United States and the United Kingdom of two other Libyan nationals in connection with the attack on Pan Am flight 103 over Lockerbie in Scotland on 23 December 1988, the United Nations Security Council, at the request of France, the United Kingdom and the United States, adopted resolution 731 (1992) on 21 January 1992. In that resolution the Council referred explicitly to a letter from the French authorities of 20 December 1991 (A/46/825-S/23306) which demanded that the Libyan Arab Jamahiriya cooperate immediately, effectively and by all possible means, in the inquiry concerning the attack on the UTA DC-10.

The lack of any response by the Libyan authorities to these injunctions and to other demands made in the aforementioned resolution led the Security Council to adopt resolutions 748 (1992) and 883 (1993), by which it imposed sanctions against the Libyan Arab Jamahiriya.

The Libyan authorities did not demonstrate any genuine willingness to cooperate with French justice until 1996. Nevertheless, France has consistently demanded that the Libyan Arab Jamahiriya cooperate in the inquiry concerning the attack on the UTA DC-10.

In March 1996, Colonel Muammar Qaddafi, in a letter addressed to the President of the French Republic which has been included in the file, undertook to respond to the French demands formulated in the letter of 20 December 1991 (A/46/825-S/23306) (to which he referred), authorized the French judge to continue his inquiry freely in Libya, and guaranteed that he would be accorded every facility and assistance during the necessary duration of his mission.

On 28 May 1996, Judge Mursi, reiterating the undertaking by Colonel Qaddafi, sent me a letter inviting me to continue my investigations in Libya, on

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the basis of the French demands contained in the letter of 20 December 1991 (A/46/825-S/23306).

After issuing an international letter of request on 14 June 1996, I travelled with investigators to Tripoli, where I stayed from 5 to 16 July 1996 and was well received by the competent judicial authorities.

During this mission, despite many difficulties which have now for the most part been resolved, I was able to participate, in satisfactory conditions, in the execution of the letter of request. I was able to hear many witnesses, collect material and other evidence and obtain documents useful for the purpose of revealing the truth.

This judicial cooperation satisfied most of the French demands, although some of them have still not been met. It enabled me to make significant progress by giving me the opportunity to issue two additional arrest warrants for Libyan nationals and to complete the file on the inquiry. It has opened the way, as permitted under French law, to the trial in absentia of the six suspects.

However, French justice and the families of the victims were entitled to expect an adversary proceeding, the only type of trial that can fully satisfy the legitimate expectations of the claimants for criminal indemnification.

When the time comes, the Libyan authorities should naturally assume all the consequences that would result from a coercive judgement against their nationals.

Now that this judicial inquiry has come to an end, eight years after the attack, I feel it would be useful to convey to you my appreciation of the way in which Libya cooperated with French justice in this inquiry.

(Signed) Jean-Louis BRUGUIÈRE



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5 November 1997

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REPORT OF THE SECRETARY-GENERAL ON THE SITUATION IN TAJIKISTAN

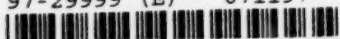
I. INTRODUCTION

1. The present report is submitted pursuant to Security Council resolution 1128 (1997) of 12 September 1997 and brings up to date the record of developments in Tajikistan and activities of the United Nations Mission of Observers in Tajikistan (UNMOT) since my report of 4 September 1997 (S/1997/686).

II. IMPLEMENTATION OF THE GENERAL PEACE AGREEMENT

2. Since my last report, there has been progress in the implementation of the General Agreement on the Establishment of Peace and National Accord in Tajikistan (A/52/219-S/1997/510, annex I). Mr. Abdullo Nuri, Leader of the United Tajik Opposition (UTO) and Chairman of the Commission on National Reconciliation (CNR), arrived at Dushanbe on 11 September 1997. On 15 September, the CNR convened its first session in Dushanbe. Its first step was to establish four subcommissions, on political, legal, military and refugee issues respectively. The Joint Commission set up in accordance with the 1994 ceasefire agreement (S/1994/1102, annex I) has become a working group under the military subcommission; the Joint Commission on Refugees has become a working group under the subcommission on refugees. In addition, the CNR established a working group on the implementation of the Amnesty Law. Like the CNR, its subcommissions and expert working groups are composed of equal numbers of government and opposition representatives.

3. On 25 September, the CNR adopted its programme of work and a timetable for the implementation of the General Agreement. The timetable, which essentially covers the first three months, was quite ambitious and it is apparent that it will have to be extended. However, progress has been made in several areas. At the same time, government and UTO leaders have continued their efforts to strengthen support for the peace agreement in the country. Noteworthy is the visit on 31 October and 1 November by a joint high-level delegation to Tavildara and the Karategin Valley, which is under the control of the UTO. The delegation, which was led by the Prime Minister, Mr. Yakhyo Azimov, CNR Chairman Nuri and its Deputy-Chairman, Mr. Abdumadjid Dostiev, held talks with opposition



commanders and surveyed the economic situation. As a result, the Government pledged additional support for the rehabilitation of those regions.

4. UNMOT supported the work of the CNR and my Special Representative, Mr. Gerd Merrem, maintained a continuous dialogue with President Emomali S. Rakhmonov and Mr. Nuri and continued to coordinate the Contact Group, which is composed of the guarantor States and organizations. UNMOT and other United Nations agencies provided technical and financial assistance to the start-up of CNR work, with the United Nations Development Programme (UNDP) contributing equipment, furniture and supplies. UNMOT cooperated closely with the Organization for Security and Cooperation in Europe (OSCE) in Tajikistan in areas related to the observance of human rights and democratization.

5. The UNMOT military component maintained close working relations with the peacekeeping forces of the Commonwealth of Independent States (CIS). The mandate of those forces has been extended until the end of 1997, giving them additional authority to support the implementation of the inter-Tajik agreements in coordination with all concerned. It is worth noting that their tasks also include helping to ensure the security of the personnel of UNMOT, OSCE and other international organizations.

6. In my previous report, I referred to the request by President Rakhmonov and Mr. Nuri for United Nations assistance in organizing a meeting of potential donors. The donor conference on international peace and reconciliation in Tajikistan is now scheduled to be held at Vienna on 24 and 25 November. Its focus will be on activities directly related to the implementation of the inter-Tajik agreements, namely, political reconciliation and democratization; demobilization and reintegration of ex-combatants and reform of power structures; repatriation and reintegration of refugees and internally displaced persons; and rehabilitation and development for the communities most affected. An aggregate amount of some \$65 million is being sought. I am grateful to the Government of Austria for its kind offer of support and hospitality.

Political issues

7. Work in this area has concentrated on the allocation of 30 per cent of senior government positions to members of the UTO. As expected, this has proved to be a complex and difficult task, which requires a delicate balancing of diverse interests between the parties as well as within each camp. Intensive discussions on the issue have continued.

8. The political subcommission is entrusted with ensuring the release of prisoners of war in accordance with the Act on Mutual Forgiveness. Two groups of prisoners of war, 119 in total, were released by the UTO on 17 September and 19 October in Tavildara with assistance provided by UNMOT and the CIS peacekeeping forces. This number is significantly higher than previous releases by the UTO.

Legal issues

9. Work in the legal subcommission focused on the release of prisoners in implementation of the Amnesty Law and on preparation of amendments and additions to the Constitution. As regards implementation of the Amnesty Law, over 700 individual cases have been submitted for review to date. More than 500 have already been processed and recommendations for amnesty transmitted to government authorities. As a result, the Government agreed to the release of 161 detainees, of whom 78 were set free on 20 October (58 UTO supporters and 20 others) with UNMOT assistance.

10. The subcommission on legal issues organized a round-table discussion on 8 October on the question of amendments and additions to the Constitution, with the participation of government officials, legal experts, representatives of UNMOT, OSCE and the International Committee of the Red Cross (ICRC).

Military issues

11. The process of registration of UTO fighters inside Tajikistan has started. More than 1,000 fighters have been registered in Tavildara and Garm. UNMOT monitored the process through its teams stationed in Kalai-Khumb and Garm. Initial restrictions imposed by local UTO commanders on the military observers were lifted after vigorous protest by UNMOT.

12. Concerning the repatriation of UTO fighters from Afghanistan, in late September the UTO requested that priority be given to the return of approximately 260 of its fighters in north-east Afghanistan. The UTO proposed that they be allowed to enter Tajikistan at Kalai-Khumb on the grounds that the shifting situation in Afghanistan made it too difficult and dangerous for them to go to the agreed entry points at Ishkashim and Nizhniy Panj. After some debate, this was agreed in principle and members of the military subcommission and UNMOT were to register the fighters and their arms. However, for various reasons, including insufficient assurances concerning security, this has not yet taken place.

13. On 26 September, the CNR plenary meeting issued an appeal to armed formations whose loyalty was not clear. It urged them to declare their allegiance either to the Government or to the opposition by 16 November, after which date they would be considered illegal and subject to forcible disarmament.

Refugee issues

14. The subcommission on refugees devoted much of its time to the repatriation of Tajik refugees from northern Afghanistan. The organized repatriation from camps in the Qonduz area was completed by 18 October, despite repeated flare-ups of fierce fighting in the region. Some 6,700 persons have returned to Tajikistan since the beginning of the operation in July. On 26 September, the CNR issued an appeal to all citizens of Tajikistan, local government authorities and heads of public and private enterprises to assist the returning refugees to the greatest extent possible. The returnees have been well received.

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15. Of particular concern was the situation of some 6,000 refugees caught in the fighting between Afghan factions in and around the Sakhi Camp near Mazar-e-Sharif in late September/early October. At least 2 refugees were killed and as many as 40 wounded in the fighting. Repeated calls for a ceasefire to allow safe repatriation of refugees were to no avail. After the fighting subsided, the Office of the United Nations High Commissioner for Refugees (UNHCR), with the assistance of Uzbek and Tajik authorities, was able to commence the refugees' repatriation to Tajikistan via Uzbekistan on 24 October, a process that is expected to be completed by December. This would complete the repatriation of Tajik refugees from Afghanistan.

III. SECURITY

16. While large parts of Tajikistan were relatively calm, the centre of the country, including Dushanbe and environs, was marked by a high level of violence. Among the more significant events were 16 bomb explosions recorded by UNMOT; a number of killings; and nightly sporadic firing in Dushanbe. UNMOT is aware of a total of 20 hostages currently being held by different armed groups.

17. At the beginning of September, the Presidential Guard launched an operation against the armed group under the command of Rizvon Sodirov in the Kofarnikhon and Leninskiy areas. The operation was suspended on 19 October on the grounds that it entailed too great a risk of confrontation with UTO personnel in those areas. On 26 September, an exchange of fire between the Presidential Guard and Ministry of the Interior Special Forces resulted in three fatalities and several wounded. On 16 October, a barracks of the Presidential Guard was attacked by a large group, killing 14 and wounding 18; 3 of the attackers were also killed. The authorities have attributed the attack to followers of Col. Mahmud Khudoiberdiev, the former commander of the Rapid Reaction Brigade.

18. During the latter half of October, there were armed clashes between armed groups and Government forces in the area of Tursunzade/Shakhrinau near the border with Uzbekistan. Government officials suspect that supporters of Col. Khudoiberdiev were responsible for the attacks. During the period under review, the Governments of Tajikistan and Uzbekistan were in close touch to control the situation.

19. The ceasefire between the Government and the UTO was maintained effectively, with the exception of one brief exchange of fire on 23 October near Dushanbe, which was quickly contained.

Joint security unit

20. In view of the continuing high level of violence, the safety of United Nations personnel in Tajikistan remains an important concern, especially if their tasks are expanded. As I already informed the Security Council on 17 October (S/1997/808), President Rakhmonov and Mr. Nuri have now agreed to the formation of a joint security unit with the task of providing security, including armed escorts, for United Nations personnel and transports mainly in the area from Dushanbe to Komsomolabad, which is considered to pose the greatest risk.

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21. The Unit will consist of two infantry companies and will be formally established by presidential decree. It should begin functioning by the end of this month. UNMOT will effect its liaison with the Unit through military observers assigned to the Unit on a permanent basis. It has prepared rules of engagement, standard operating procedures and a training programme. It will also be necessary for UNMOT to support the Unit with communications equipment, rations and fuel. The aim is to shape an effective and disciplined Unit that would set an example for others in the process of reintegration and modernization.

IV. ORGANIZATIONAL MATTERS

22. At present, UNMOT comprises 44 military observers from Austria (5), Bangladesh (7), Bulgaria (6), Denmark (4), Jordan (5), Poland (3), Switzerland (5), Ukraine (3), and Uruguay (6), and 67 civilian personnel, of whom 27 are internationally recruited. In addition to its headquarters in Dushanbe, UNMOT maintained team sites in Khujand, Khorog, Kalai-Khumb, Garm and Kurgan-Tybe. Mr. Merrem continued as my Special Representative and Head of Mission. Brig.-Gen. Boleslaw Izydorczyk (Poland) continued as Chief Military Observer.

Financial aspects

23. The General Assembly, in its resolution 51/237 of 13 June 1997, appropriated \$8,275,700 gross for the maintenance of UNMOT, based on an average strength of 45 military observers and its existing responsibilities. In the addendum to my previous report to the Security Council dated 11 September 1997 (S/1997/686/Add.1), I indicated that the cost for expanding UNMOT by 75 military observers, supported by 48 international and 87 locally recruited civilian staff was estimated at approximately \$14.8 million for an initial six-month period. That estimate has now been revised to include the support to the Joint Security Unit and to provide for 75 military observers, 2 civilian police, 46 international staff and 100 locally recruited staff at a reduced cost of \$13.7 million. A breakdown of the revised estimated financial requirements is provided for information purposes, by main categories of expenditure, in the annex to the present report. As at 31 October 1997, unpaid assessed contributions to the Special Account for UNMOT since the inception of the Mission through 15 November 1997 amounted to \$2,283,915, which represents some 10 per cent of the assessment for the Mission. The unpaid assessed contributions for all peacekeeping operations amounted to \$1.6 billion.

V. HUMANITARIAN AND REHABILITATION ACTIVITIES

24. During the past two months, the efforts of humanitarian organizations centred on the preparation of winter relief programmes, such as distribution of food, coal and shoes, as well as assisting returnees from northern Afghanistan, now numbering 6,700 people. Humanitarian organizations concentrated their efforts in Khatlon province, where the majority of refugees are returning, while movement east of Dushanbe continued to be difficult. The rehabilitation, reconstruction and development programme financed by UNDP and executed by the

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United Nations Office for Project Services re-established its presence in the Karategin Valley and now extends its activities throughout that region. United Nations agencies have updated the donor alert for urgent humanitarian needs in Tajikistan, extending the period until the end of December 1997 and listing shortfalls mainly in the water and sanitation, education and health sectors.

VI. OBSERVATIONS

25. The main development during the reporting period has been the convening of the CNR in Dushanbe and the progress achieved on a number of fronts: the exchange of prisoners of war and detainees, the registration of UTO fighters inside Tajikistan and the repatriation of refugees from Afghanistan. I am encouraged that the refugees have been received without hostility on their return, despite the additional burden they represent for a society impoverished by civil war and economic upheaval.

26. Both the Government and the UTO made serious efforts to carry out their commitments under the General Agreement and their representatives in the CNR cooperated in a businesslike manner. Not surprisingly, the pace at which the implementation of the peace agreement progressed lagged behind the very ambitious timetable envisaged in the agreement itself or the one later adopted by the CNR. Nevertheless, it should still be possible to complete the process in the course of 1998.

27. The ceasefire between the Government and the UTO was firmly maintained, although the level of violence continued to be high in the central part of the country. For the foreseeable future, therefore, the safety of United Nations personnel will remain an important concern. The formation of a joint Government/UTO protection unit addresses that concern in a practical way. The decision of CIS to authorize its peacekeeping force in Tajikistan to provide security to the United Nations on request provides a most welcome additional reassurance. I need not emphasize that I shall follow developments closely and take action as necessary to ensure the safety of the United Nations personnel working in Tajikistan.

28. In implementing the peace agreement, the support provided by the international community is crucial. In that respect, the Contact Group of guarantor States and organizations can make a valuable political contribution. As for material support, I hope that the conference at Vienna on 24 and 25 November to which I have invited potential donors will help generate much-needed resources. It remains for UNMOT to be given the capacity it needs to make the substantive contribution expected of it. I therefore recommend that the Security Council expand the mandate of UNMOT, in accordance with the proposals I submitted in September (S/1997/686).

29. In concluding this report, I should like to pay tribute to Mr. Merrem, my Special Representative, for his outstanding contribution and leadership, to Brig.-Gen. Izydorzczuk, the Chief Military Observer, and to the men and women serving with UNMOT for the exemplary manner in which they have performed their difficult and often dangerous duties. I also take this opportunity to acknowledge with appreciation the cooperation and support given my Special Representative by the personnel of the United Nations agencies and programmes operating in Tajikistan.

Annex

Revised cost estimates for an initial six-month period

(Thousands of United States dollars)

Category	Cost estimate
1. Military personnel costs	1 074
2. Civilian personnel costs	2 784
3. Premises/accommodation	175
4. Infrastructure repairs	-
5. Transport operations	2 537
6. Air operations	2 142
7. Naval operations	-
8. Communications	867
9. Other equipment	710
10. Supplies and services	165
11. Election-related supplies and services	-
12. Public information programmes	89
13. Training programmes	-
14. Mine-clearing programmes	-
15. Disarmament and demobilization programme/support of assembly areas and support for the Joint Security Unit	2 751
16. Air and surface freight	2
17. Staff assessment	<u>404</u>
Total	<u>13 700</u>

